

Leonard W. Williamson, OSB #910020  
VAN NESS WILLIAMSON LLP  
960 Liberty St. SE, Suite 100  
Salem, Oregon 97302  
(503) 365-8800  
l.williamson@vwllp.com

Bradley A. Benbrook\*  
Stephen M. Duvernay\*  
BENBROOK LAW GROUP, PC  
701 University Avenue, Suite 106  
Sacramento, California 95825  
(916) 447-4900  
brad@benbrooklawgroup.com  
steve@benbrooklawgroup.com

*\*Pro hac vice applications to be submitted*

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**PORTLAND DIVISION**

DALLIN MONTGOMERY; NICK  
HOLDWAY; KEVIN WALTERS; OREGON  
FIREARMS FEDERATION; and FIREARMS  
POLICY COALITION, INC.,

Plaintiffs,

v.

ELLEN ROSENBLUM, in her Official  
Capacity as Oregon Attorney General; and  
CASEY CODDING, in his Official Capacity as  
Superintendent of the Oregon State Police,

Defendants.

Case No.: 3:24-cv-01273-AN

**DECLARATION OF NICK HOLDWAY  
IN SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND/OR PRELIMINARY INJUNCTION**

**EXPEDITED HEARING AND ORAL  
ARGUMENT REQUESTED**

**RELIEF REQUESTED BEFORE  
SEPTEMBER 1, 2024**

I, Nick Holdway, declare:

1. I am over 18 years old. I am competent to give this declaration. I have personal knowledge of the matters set forth in this declaration and would be able to testify to them if called as a witness.

2. I am a citizen of the United States and a resident of the State of Oregon, currently residing in Lane County, Oregon.

3. I am a member of Firearms Policy Coalition, Inc. and Oregon Firearms Federation.

4. I hold an Oregon concealed carry permit issued by the Lane County Sheriff's Office.

5. I am not a federally or state licensed firearms manufacturer, importer, or dealer.


6. I am aware of Oregon House Bill 2005's prohibitions on items it defines as an "unfinished frame or receiver" and "undetectable firearm," and I am aware of its general prohibitions on unserialized firearms. I am also aware that HB 2005 will take effect on September 1, 2024.

7. I possess multiple items that I understand to fall within HB 2005's definitions of "unfinished frame or receiver" and "undetectable firearm," including: an unserialized Glock-style semiautomatic pistol built from a polymer frame; an unserialized Glock-style polymer frame; an unserialized AR-platform rifle built from an "unfinished frame or receiver"; and an unserialized "unfinished frame or receiver" that I desire and intend to manufacture into the receiver for an AR-platform rifle. I desire to continue to own and possess these items, and to use them to further my right of self-defense and for other lawful purposes, and not to sell or otherwise dispose of them. As I understand HB 2005, it does not permit me to retain possession of an "undetectable firearm" even if it were serialized. Even if it did, I do not want to incur the cost to serialize these items and prefer not to do so because serialization is permanent and cannot be undone should I prevail in this lawsuit. Furthermore, because HB 2005 criminalizes the mere possession of an unserialized "unfinished frame or receiver," I see no clear legal path as to how I could comply with the law through serialization. In short, I must either surrender or destroy the items.

8. But for HB 2005 and its threat of criminal sanctions (including fines and/or imprisonment that could lead to the loss of my Second Amendment protected rights), I would build or acquire additional arms that fall within HB 2005's prohibitions, including by purchasing such items on the Internet through out-of-state retailers for shipment into Oregon.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed August 7, 2024.

DocuSigned by:  
  
D91EB10653524CE...  
Nick Holdway